

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE GREAT ATLANTIC & PACIFIC TEA
COMPANY, INC., et al.,¹

Debtors.

THE GREAT ATLANTIC & PACIFIC TEA
COMPANY, INC., et al.,

Plaintiff,

- against -

PEPSICO, INC.; BOTTLING GROUP, LLC
(d/b/a Pepsi Beverages Company and f/d/b/a
The Pepsi Bottling Group); FRITO-LAY
NORTH AMERICA, INC.; PEPSI-COLA
METROPOLITAN BOTTLING COMPANY,
INC.; PEPSI-COLA HASBROUCK
HEIGHTS; PEPSI-COLA BOTTLING
COMPANY; QUAKER SALES AND
DISTRIBUTION, INC.; MULLER QUAKER
DAIRY, LLC; STACY'S PITA CHIP
COMPANY, INC.; PEPSI BOTTLING
GROUP, NJ; and PEPSI USA,
Defendants.

Chapter 11

Case No. 15-23007-rdd

Jointly Administered

Adv. Pro. No. 18-8245-rdd

**STIPULATION AND ORDER FURTHER EXTENDING
TIME TO RESPOND TO AMENDED COMPLAINT**

WHEREAS, Defendants' deadline to respond to the First Amended Complaint, filed April 23, 2018, is August 8, 2018, pursuant to the Stipulation and Order, entered July 27, 2018; and

WHEREAS, Plaintiff has represented that it intends to file a Second Amended Complaint, pursuant to Rule 15(a).

¹ The Debtors are: 2008 Broadway, Inc.; The Great Atlantic & Pacific Tea Company, Inc.; A&P Live Better, LLC; A&P Real Property, LLC; APW Supermarket Corporation; APW Supermarkets, Inc.; Borman's, Inc.; Delaware County Dairies, Inc.; Food Basics, Inc.; Kwik Save Inc.; McLean Avenue Plaza Corp.; Montvale Holdings, Inc.; Montvale-Para Holdings, Inc.; Onpoint, Inc.; Pathmark Stores, Inc.; Plainbridge LLC; Shopwell, Inc.; Super Fresh Food Markets, Inc.; The Old Wine Emporium of Westport, Inc.; Tradewell Foods of Conn., Inc.; and Waldbaum, Inc.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties to this adversary proceeding, that Defendants' time to answer, move, or otherwise respond to the First Amended Complaint is hereby extended through August 22, 2018.

Dated: August 7, 2018

/s/ David N. Crapo
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- and -

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Attorneys for Defendants

SO ORDERED this 7th day of August, 2018

/s/Robert D. Drain
Honorable Robert D. Drain
United States Bankruptcy Judge